PART II.

UNREPEALED CENTRAL ACTS OF LOCAL APPLICATION IN FORCE IN THE STATE OF MADRAS.

ACT No. XXXVI OF 1837.[1]

[THE MADRAS PUBLIC PROPERTY MALVERSATION ACT, 1837.]

[*20th November 1837.*]

Extension of jurisdiction of Collectors and their subordinates in cases of embezzlement, etc., to similar offences by persons of certain classes.

1. * * * [2]The jurisdiction vested in Collectors, Subordinate Collectors and Assistant Collectors, by Regulations IX of 1822 and VII of 1828 of the Madras Code, in cases of embezzlement of public money, and of the falsification, destruction or concealment of any public account, record, voucher or document relating to public money, shall extend to cases of the embezzlement of any public property or the falsification, destruction or concealment of any public account, record, voucher or document, relating to any public property, by any person of any of the classes described in the third clause of section 2 of the said Regulation IX of 1822.

Extension of enactments relating to embezzlement, etc., to similar offences by persons of certain classes.

2. * * * * [3]All provisions of either of the said Regulations IX of 1822 and VII of 1828, which apply to cases of the embezzling of public money, shall apply to cases of the embezzling of public property whatever, by persons of any of the classes described in the third clause of section 2 of the said Regulation IX of 1822 : * * [3]all provisions of

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[1] The short title was given by the Repealing and Amending Act, 1901 (Central Act XI of 1901).

This Act was declared by the Laws Local Extent Act, 1874 (Central Act XV of 1874), s. 4 and the second schedule to be in force in the whole of the Presidency of Madras except the territories mentioned in the sixth schedule to that Act.

It has also been declared, under s. 3 (*a*) of the Scheduled Districts Act, 1874 (Central Act XIV of 1874), to be in force in the Scheduled Districts in Ganjam and Vizagapatam—*see Gazette of India*, 1898, Pt. I, p. 869, and *Fort St. George Gazette*, 1898, Pt. I, p. 666. The Act has been extended by a notification under s. 5 of the Scheduled Districts Act to the Bhadrachalam and Nugur taluks of the Godavari Agency—*see Fort St. George Gazette*, 1930, Pt. I, p. 553. The Act has been declared by a notification under s. 3, cl. (*a*) of the Scheduled Districts Act to be in force in the Dutcharti and Guditeru Muttas of the Godavari Agency—*see Fort St. George Gazette*, 1930, Pt. I, p. 553.

[2] The words and figures "It is hereby enacted, that from the fifteenth day of December, 1837," were repealed by the Repealing Act, 1870 (Central Act XIV of 1870).

[3] The words "It is hereby enacted that" and the words "and that" in the second clause were repealed by the Repealing Act, 1874 (Central Act XVI of 1874), and the words "from the said day," which occurred immediately before the opening words of the section as it now stands, were repealed by the Repealing Act, 1870 (Central Act XIV of 1870).

either of those Regulations, which apply to cases of the falsification, destruction or concealment of any public account, record, voucher or document relating to public money, shall apply to cases of the falsification, destruction or concealment of any public account, record, voucher or document, relating to any public property whatever, by persons of any of the said classes.

ACT No. VII OF 1839.[1]

[THE MADRAS RENT AND REVENUE SALES ACT, 1839.]

[*18th March 1839.*]

1. [*Repeal of Reg. XXVIII of* 1802, *s.* 23.] *Rep., Central Act XIV of* 1870.

Tahsildars empowered to sell property distrained.

2. [2] * * * All tahsildars within the territories subject to the Presidency of Fort St. George shall be vested with the powers of Commissioners for the sale of property distrained for arrears of rent or of revenue, and shall be subject to all rules and provisions to which by any law or regulation such Commissioners are subject.

Control of tahsildars in exercise of such power.

3. Provided always that in respect of the exercise of those powers tahsildars shall be subject to the control and superintendence of the Collector, and shall not be subject to the authority of the Zila Judge, except in the case of any judicial proceedings.

4. [*Their liabilities in exercise of same power.*] *Rep. by the Repealing and Amending Act,* 1891 (*Central Act XII of* 1891).

Fees for selling property to be credited to Government.

5. Provided also that tahsildars shall not be entitled to any fee or commission for selling such distrained property; but that all fees or commission which may be now lawfully taken by Commissioners for the sale of such distrained property shall be taken and carried to the account of Government.

Delegation of Tahsildar's powers.

6. And it is hereby enacted that tahsildars shall have authority, subject to the orders of the Collector, to delegate the powers vested in them by the second section of this Act to any public servants placed under their authority; and that the provisions of [3] [sections 3 and 5] of this Act shall apply

[1] The short title was given by the Repealing and Amending Act, 1901 (Central Act XI of 1901).

This Act was declared by the Laws Local Extent Act, 1874 (Central Act XV of 1874), s. 4 and the second schedule to be in force in the whole of the Presidency of Madras except the territories mentioned in the sixth schedule to that Act.

It was extended, under s. 5 of the Scheduled Districts Act, 1874, to the Scheduled Districts in Ganjam and Vizagapatam—*see Gazette of India*, 1898, Pt. I, p. 872; and to the Scheduled Districts in East Godavari except the Nugur taluk—*see ibid.*, 1910, Pt. I, p. 1161.

[2] The words "And it is hereby enacted that from the said day" were repealed by the Repealing Act, 1873 (Central Act XII of 1873).

[3] These words and figures have been substituted for the words "the three last preceding sections" by the Amending Act, 1891 (Central Act XII of 1891).